

Paroled rapist charged in claw hammer slaying

SEP 28 1983

A paroled rapist was charged Tuesday with the claw hammer slaying of a North Oakland woman he had known since elementary school, police said.

Randy Alana, 26, was charged with murder in the slaying of Marilyn Pigott, 23, whose body was found Aug. 13 in her 40th Street apartment.

Alana, who was paroled from state prison April 1, has been in police custody since Aug. 27 on gun charges.

Homicide Sgt. Jim Hahn said police focused on Alana as a suspect after witnesses said he was the last person to be seen with Pigott before her body was found.

His fingerprints reportedly were found in Pigott's apartment and Hahn said jewelery belonging to the woman was found in Alana's car when he was arrested. He said he thought robbery was the motive for the slaying.

Hahn said the two had known each other since elementary school and that following his parole they had renewed their acquaintance after meeting at a nightclub.

Black Guerrilla Family pair are charged in jail slaying

SAT FEB 2 1985

By Ramon Coronado
The Tribune

Two convicted felons, awaiting trial in separate murder cases, have been charged with the stabbing death last summer of a fellow inmate in the Oakland city jail during a power struggle for control of a prison gang.

James D. Benson, 30, a reputed leader of the Black Guerrilla Family and Randy Alana, 27, accused of using a claw hammer to kill a woman in 1983, were charged with the June 23 slaying of 40-year-old Alfred Ingram.

Ingram, who was awaiting trial on attempted murder and robbery charges, was stabbed 87 times with a 12-inch blade fashioned from sheet metal from a ventilation duct, said Deputy District Attorney Russell Giuntini.

Sources close to the investigation said Ingram, a former BGF member, and Benson had a disagreement over how the gang should be run.

Because Benson and Alana have murder charges pending, the jailhouse slaying has been filed as a special circumstance case, punishable by death, said Giuntini who filed the complaint Thursday.

The complaint was served on the two defendants in the downtown jail yesterday, the prosecutor said.

Ingram was thought to be a police informer and his murder "was a statement of some sort of bravado emerging out of a pow-

er struggle within the county jail system," Giuntini said.

Additionally, the men thought they could shut down the jail by committing the first murder at the facility, which had opened a month earlier, the prosecutor said.

Ingram was last seen alive about 1 p.m. the day of the slaying. His body was found by a sheriff's deputy two hours later in his blood-stained cell, Giuntini said.

Benson and Alana, who are scheduled to be arraigned in Oakland Municipal Court Monday, have at least six prior felony convictions.

Benson is known to be a ranking member of the BGF in the Bay Area, a 10-year-old organization spawned in the California prison system. Law enforcement officials estimate the group has about 300 members statewide.

Benson served two years in prison for shooting someone to death before being charged with fatally stabbing Clifton Spencer, 18, and seriously wounding Brandon Baker, 21, Aug. 5, 1982, in what police said was a narcotics-related incident.

Alana, described as a BGF member and Benson's "comrade," is charged with the Aug. 13, 1983, claw hammer slaying of Marilyn Pigott, 23. Police said Benson and Pigott had known each other since elementary school. At the time of the slaying he was on parole for a rape conviction.

Reputed gang leader acquitted of slaying

By Larry Spears

The Tribune

WED MAR 26 1986

An Alameda County jury has acquitted James D. Benson of murder and attempted murder, in the process sparing him the possibility of a death penalty in another murder charge yet to be tried.

The jury Monday apparently believed Benson, 31, a reputed leader of the Black Guerrilla Family, who testified he was defending himself on Aug. 15, 1982, when he fatally stabbed Clifton Spencer, 18, and wounded Brandon Baker, 19.

Benson and Randall Alana, 28, soon will stand trial for the killing of a fellow inmate in the North County Jail in Oakland in 1984.

They are charged with slashing 40-year-old Alfred Ingram 85 times with a sharpened piece of sheet metal.

In the forthcoming trial, a prior murder conviction would have enabled prosecutors to charge Benson with special cir-

cumstances, meaning a possible sentence of death or life in prison without parole if he were convicted again.

That possibility still faces Alana, on trial now in Alameda County Superior Court. He is accused of the claw-hammer killing of longtime Oakland acquaintance Marilyn Pigott, 23, on Aug. 13, 1983.

Alana and Benson were being held on their separate murder charges when Ingram was killed, reportedly for being a police informer. According to testimony in court documents, his death was related to power plays within the Black Guerrilla Family, a statewide prison gang of an estimated 300 members.

After another Alameda County trial, Alana last month was given a six-year sentence for possessing weapons in jail.

Benson is scheduled for yet another Alameda County trial stemming from the Oct. 16, 1982, robbery of a Glendale Federal Savings branch in Newark.

His acquittal Monday came despite Brandon Baker's testimony that Benson attacked him and Spencer during an argument.

In his defense, Benson testified that Baker pulled a gun on him and it misfired. According to Benson, Baker then told Spencer to kill him.

Benson testified that he pushed Baker on top of Spencer, stabbed them both, barricaded himself inside a bedroom and escaped out a window.

Judge denies bid to bar public from hearing

By Will Jones
The Tribune

THU OCT 23 1986

Defense attorneys yesterday lost the first round in their attempt to bar the public from a hearing on the Sheriff's Department's plan for tight security at an Oakland murder trial.

The Sheriff's Department, citing security reasons, wants the trial for two men accused of killing a fellow inmate at the North County jail moved from the Alameda County Courthouse to a more secure location.

The defendants, James D. Benson and Randall Alana, are charged with fatally stabbing 40-year-old Alfred Ingram with a sharpened piece of sheet metal at the Oakland jail in June 1984.

They are reputed members of the Black Guerrilla Family, a statewide prison gang. Judge Benjamin Travis, who is scheduled

to preside over the trial in his 7th floor courtroom, rejected the attorneys' request to exclude the press and public from the hearing.

Attorneys Barry L. Morris and Albert Wax then asked the judge to issue a gag order restricting press coverage of the proceedings or to hold portions of it in his chambers with only attorneys and key witnesses present.

Travis, however, set another hearing for this afternoon to hear arguments on that motion from attorneys representing The Tribune and The San Francisco Chronicle.

The newspapers' attorneys argued successfully against barring the press and the public from the courtroom during the preliminary hearing, which is to continue today.

Morris represents Benson and Wax is defending Alana.

In asking for a closed hearing, Morris argued that if details of the sheriff's plan for

security are made public, it could jeopardize the defendants rights to a fair trial.

But attorneys Judith Epstein, representing The Tribune, and Carl Olson, representing The Chronicle, cited several court decisions that opened preliminary hearings and trials to the public and press.

Epstein argued that attorneys could closely question prospective jurors and dismiss anyone who would be influenced by publicity about the case.

Benson was acquitted earlier this year of fatally stabbing Clifton Spencer and wounding Brandon Baker. Benson testified during that trial that he stabbed the men in self-defense.

Alana is also facing another murder trial. He is accused of the 1983 claw-hammer killing of Marilyn Pigott.

Officer: Prisoners targeted prosecutor, witness in death plot

FRI OCT 31 1986

By Will Jones
The Tribune

Two reputed members of a prison gang who are charged with murdering a fellow inmate at the North County jail in Oakland allegedly ordered the assassination of their prosecutor and a witness, an Alameda County sheriff's sergeant said yesterday.

Testifying at a preliminary hearing in a heavily guarded Superior Court courtroom, Sgt. Ronald Kolodzieczak said the defendants, Randall Alana and James D. Benson, put out a \$100,000 contract on Deputy District Attorney Russ Giuntini and witness Mario Hamilton.

Kolodzieczak, a classification coordinator at the jail, was called as a witness to support the Sheriff's Department's request to transfer the murder trial to the county's highly secured courtroom in the basement of the Wiley W. Manuel Municipal Court Building, at 6th and Washington streets.

But the sergeant's testimony

failed to convince Judge Benjamin Travis to move the trial from his courtroom at the Courthouse Building on Fallon Street.

Travis said adequate security could be provided at the courthouse.

Benson and Alana, who sheriff's officials say are members of the Black Guerrilla Family, a statewide prison gang, are scheduled to go on trial next week on charges of killing inmate Alfred Ingram, 40, with a sharpened piece of sheet metal at the jail in June 1984.

Attorney Barry L. Morris, who represents Benson, and Albert Wax, who is defending Alana, tried to bar the press and public from the portion of the hearing on the alleged death threat.

But attorneys representing The Tribune and The San Francisco Chronicle successfully fought to keep the hearing open.

Each person entering the courtroom, however, was

See PRISONERS, Page C-5

Continued from Page C-1

searched by sheriff's deputies with a metal detector. Two deputies also sat inside the courtroom while others stood outside the door and roamed the hallway.

Kolodzieczak told the court he learned of the assassination plan when he was contacted at home Oct. 18 by an "informant" who said he had information about a plot to kill two people involved in the murder trial.

The informant said he was told by either Benson or Alana that they had ordered the assassination of Giuntini and Hamilton. The informant, Hamilton and the defendants were all in jail, according to the sergeant.

Kolodzieczak said the killings were to be carried out by four men. The alleged assailants were to make the "hit" in the courtroom or en route to the building.

The sergeant said he passed the information along to investigators for the state Department of Corrections, who confirmed the threat from independent sources, including an inmate at the county's Santa Rita Rehabilitation Center in Pleasanton.

But the defense lawyers opposed moving the trial. They pointed out that the informant could not have known that Hamilton was scheduled as a witness in the trial.

They said Giuntini did not inform them that Hamilton, who also is a reputed member of the prison gang, was a possible witness until Oct. 22.

Under cross-examination by the attorneys, Kolodzieczak conceded that he didn't make a writ-

ten report of his conversations Morris called the high-security with the informant nor was the courtroom a "dungeon" that inmate certain that it was Ben-uld create the impression son or Alana who told him about long jurors that Alana and the plot.

nson are "dangerous."

The defense lawyers said they Sheriff's officials said they wanted the trial to remain at the court because such stringent security measures at the trial conducted there could members or associates of the Municipal Court building could prejudice potential jurors against their clients.

At a hearing Wednesday, Ko-

lodzieczak testified that the defendants were involved in an escape plot last year.

Kolodzieczak said that out of 678 inmates at the North County jail, about 30 are members or associates of the prison gang. A gang defector testified at a court hearing last year that the group orders assassination missions and other violent activities.

Racial makeup of jury triggers mistrial in

THU DEC 1 8 1986

By Will Jones
The Tribune

A mistrial has been declared in the murder trial of two reputed members of a prison gang because the prosecutor excluded all but one black person from a panel of jurors.

The jury, which was selected from a pool of 90 potential jurors, was dismissed by Alameda County Superior Court Judge Benjamin Travis on Tuesday before the prosecutor opened his case.

Randall Alana and James D. Benson, who are reportedly members of the Black Guerrilla Family, a statewide prison gang, are accused of fatally stabbing 40-year-old inmate Alfred Ingram with a sharpened piece of sheet metal at the North County jail in June 1984.

Travis' ruling means that the case will be sent back to Presiding Judge Henry Ramsey Jr., who was scheduled to decide today whether it will be reassigned to Travis or another judge.

It took months to select the

jury.

Defense attorneys Albert Wax and Barry L. Morris said yesterday they asked Travis to declare a mistrial after Deputy District Attorney Russ Giuntini dismissed 11 of the 12 black jurors who were among the finalists for the 12-member panel.

Wax argued that Giuntini improperly used his peremptory challenges to exclude black people from the jury. A peremptory challenge allows each attorney to dismiss a prospective juror without stating a reason.

Morris said Travis declared a mistrial under a 1978 state Supreme Court ruling that disallows the systematic exclusion of members of racial, religious or similar groups.

The defense attorneys said Travis agreed with the prosecutor in dismissing eight of the black jurors, but the judge saw no reasons to excuse two and the dismissal of a third was "suspect."

Among the black jurors dismissed by Giuntini were George Herring, a dean at Merritt Com-

munity College in Oakland; and Carole Davis, a former Berkeley City Council member, according to Morris.

Although Wax said his client agreed with the final panel and withdrew his challenge, Morris and his client insisted on a mistrial.

Giuntini did not return telephone calls.

If the case is not reassigned to Travis, it could be several months before the trial gets under way.

Among the issues a new judge may have to decide is whether to move the trial from the Courthouse Building near Lake Mer-

ritt to a more-secure courtroom at the Municipal Court Building on Washington Street.

The Sheriff's Department urged Travis to relocate the trial because the defendants had allegedly put out a \$100,000 death contract on Giuntini and a witness, Mario Hamilton.

Travis' courtroom was guarded by armed sheriff's deputies who used metal detectors to search each person who went into the courtroom during pretrial hearings and the jury selection process.

Shortly after Travis' decision not to move the trial, one alleged member of the gang was arrested.

prison slaying

ed for attempted murder in the shooting of a relative of a potential witness.

Another man, identified by a sheriff's sergeant as one of the men assigned to carry out the alleged death plot, was shot to death inside an Oakland apartment last month.

When Ingram was killed, Ben-

son and Alana were awaiting trials on separate murder charges. Benson was later acquitted of murder and attempted murder charges.

Alana faces a second trial in connection with the claw-hammer slaying of Marilyn Pigott in 1983. The first trial ended in a hung jury earlier this year.